

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 10-03035-01-CR-S-ODS
)	
JOSHUA T. CAPRARELLA,)	
)	
Defendant .)	

**REPORT AND RECOMMENDATION OF
THE UNITED STATES MAGISTRATE JUDGE**

On September 28, 2010, a psychiatric/psychological evaluation was ordered by the undersigned, pursuant to 18 U.S.C. §§ 4241 and 4242. The evaluation was conducted at the Federal Medical Center, Lexington, Kentucky, and a psychological report was filed with the Court on February 8, 2011. The matter was called for a hearing on the issue of competency. The defendant appeared in person and with counsel. The competency report was submitted into evidence. Defendant, through counsel, announced they have no issue with regard to the defendant's competency to stand trial. The mental health expert at the Federal Medical Center concluded:

“Although he continues to suffer from paranoia related to his personal safety, these beliefs do not have a direct impact on his understanding of the legal proceedings, his ability to think rationally about his case, or his ability to assist in his own defense. Moreover, he was cooperative and forthcoming throughout this evaluation, and clearly displayed the ability to express himself clearly and rationally in matters related to his legal case. Further, he demonstrated the ability to engage in strategic planning and work effectively with his attorney.

The finding was predicated on the fact that the defendant was under a prescribed regimen

of medication.

It is therefore

RECOMMENDED that the defendant be declared competent to stand trial.

/s/ James C. England

JAMES C. ENGLAND
UNITED STATES MAGISTRATE JUDGE

Date: February 22, 2011